

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION DUE TO SOLE SOURCE REQUIREMENT

REQUIRED INFORMATION	
1.	FACILITY NUMBER-NAME- CITY, STATE: 580-Michael E. DeBakey VAMC-Houston, TX
2.	VISN OR PROGRAM ACTIVITY: 16
3.	POC NAME AND TELEPHONE NUMBER: Ed Kuny 713-794-7474
4.	PROPOSED ACTION: Brand Name or Sole Source Procurement of: CONSTRUCTION
5.	<p>DESCRIPTION OF REQUIREMENT: <i>The main water line at the Old Spanish Trail entrance was discovered leaking. Because this water main is leaking at an astronomical amount per hour, the leak needs to be isolated and repaired quickly or it can get worse causing reduced water pressure and compromise patient care. The area will have to be dug up and the leak located and then repaired.</i></p> <ul style="list-style-type: none"> Supplies/Equipment: Technical Characteristics can include, but are not limited to model, make, part number, color, size, quantity, delivery date, etc. Services: Refer to the statement of work, statement of objective, or performance work statement for your description.
6.	<p>STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION: <i>Unusual and Compelling Urgency</i></p> <ul style="list-style-type: none"> FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements FAR 8.405-6 Limited sources justification and approval FAR 13.106-1(B) SAP Requirements – Soliciting From a Single Source. If contracting officer determines that circumstance of contract action deem only one source is considered reasonable available. This is a reference to the part of the Federal Acquisition Regulation that allows an item to be purchased without being fully competed. This statement serves as a point of reference in case the justification is questioned. In this case, it would be reviewed for its relativity to this part of the Federal Acquisition Regulation.
7.	<p>NATURE & BACKGROUND OF ACQUISITION TO JUSTIFY SOLE SOURCE: <i>The MEDVAMC discovered a water main leaking. Water is leaking at an estimated rate of 3,000 gallons per hour and an underground electrical conduit is in the vicinity increasing the risk that an electrical short could occur. The leak needs to be isolated quickly because if it is at a fitting, which it most likely is, there is a risk that the leak could get worse. Therby reducing water pressure to Building 100 and compromising patient care on the top two floors which are surgery and mental health. Artis Builders is already on site executing an NRM project to replace the water mains at the facility. The area of the current break is out of the scope of Artis current project, however Artis already has all of the necessary labor, tools, supervision and equipment onsite because of their current project. They do not have to pay deployment costs or General Requirements and they are familiar with the layout and valving of the current water distribution system and do not have to be provided any additional training on locations of the components of the water distribution system.</i></p> <ul style="list-style-type: none"> Describe the minimum salient characteristics that will meet your needs. This is the area where you explain why no other vendor anywhere can supply this requirement for you. Acceptable reasons for "sole source" include (but are not limited to): bound by contract, technical order specification, warranty service, or regional standardization. If the reason for sole source is determined locally, offer what market research or clinical guidelines led to the decision.
8.	<p>PROVIDE INFORMATION SHOWING MARKET RESEARCH WAS CONDUCTED: <i>Market research was not conducted due to the urgent issue at hand. Artis Builder's is a SDVOSB currently working on the grounds on a different contract that was competed. Since the crew is already mobilized, the government saved money on General Requirement costs.</i></p> <ul style="list-style-type: none"> This justification is for why no other vendor anywhere can supply your item or service and still meet your

needs. Your rationale for barring other vendors is crucial to your justification. If you already cited the statutory reason for a sole source, state, "See paragraph 7". If your rationale for a sole source purchase was determined locally, offer an explanation of the source selection process you went through to determine your sole source requirement. Unacceptable reasons include (but are not limited to) personal taste, good relationship with existing vendor, or one's comfort level with a particular vendor.

- Describe the similarities and differences in vendors for the product that you are aware of that could assist or prevent the purchaser from obtaining the best value for you. Be sure to name the vendors. This section will help the purchaser decide which vendors are available to purchase this item from. If market research was not conducted, state it AND the reason that there was no market research.

9. PRICE ANALYSIS "FAIR AND REASONABLE": *Artis Builder's price was compared to the independent government's estimate and found to be fair and reasonable. Pricing is in line with the current water main repair and replacement contract which was competed amongst several SDVOSB.*

- This section is mandatory. Do not leave this section blank. Even though this must be purchased from only one source, you must still obtain a quote from the vendor for this purchase. This way you are able to verify added costs for delivery, your geographic region, or installation. Cite the pricing here. If you purchased this item before, compare this price to what you paid last time. Cite this as well in your answer.

10. LISTING OF SOURCES EXPRESSING INTEREST IN THIS REQUIREMENT: *N/A.*

- Enter or attach contact information for sources you cited in the description of your source selection. If sole source by statute, regulation, or standard, list contact information for that source here.

11. FUTURE ACTION TO OVERCOME BARRIER TO OTFOC: *The urgency of accomplishing the work required is to repair the water main near the Old Spanish Trail entrance. Due to the unforeseen nature of the water leak, no effort could be made to remove or overcome any barriers to competition before any subsequent acquisition. Because of the emergent nature of this request due to an unanticipated water leak, it is unlikely this type of situation will arise again in the future.*

- This section fulfills the legal requirement to affirm that the selection of a singular source for this requirement is an anomaly and that action will be taken in the future to ensure full competition in the future. The reason this is needed is to describe how the government will make an effort in the future to fully comply with standard acquisition practices and not resort to creating unnecessary partnerships with few vendors at the risk barring full competition to circumvent the FAR. By signing this, you are telling the contracting officer to avoid the processes that assure best value and fairness in this acquisition. If the reason for sole source purchase is because of statute, standard, or regulation, enter "THE SOURCE FOR THIS PURCHASE IS REQUIRED IAW." Cite this as well in your answer.

SUBMITTED BY:

Signature: _____

Department/Requestor

Date: _____

SIGNED BY:

Signature: _____

Warranted Contracting Officer

Date: _____